

1 BY

Berry

H. J. R. NO. 38

Tom Barr

Harrison

Chet Broder

A JOINT RESOLUTION

PROPOSING an amendment to Section 2, Article VI,
Constitution of the State of Texas, to omit
the requirement that members of the
armed services vote only in the county
in which they resided at the time of entering
the service.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2, Article VI, Constitution of the State of
Texas, be amended to read as follows:

"Sec. 2. Every person subject to none of the foregoing disqualifica-
tions who shall have attained the age of twenty-one (21) years and who
shall be a citizen of the United States and who shall have resided in this
State one (1) year next preceding an election and the last six (6) months
within the district or county in which such person offers to vote, shall
be deemed a qualified elector; and provided further, that any voter who
is subject to pay a poll tax under the laws of the State of Texas shall
have paid said tax before offering to vote at any election in this State
and hold a receipt showing that said poll tax was paid before the first
day of February next preceding such election. Or if said voter shall have
lost or misplaced said tax receipt, he or she, as the case may be, shall
be entitled to vote upon making affidavit before any officer authorized to
administer oaths that such tax receipt has been lost. Such affidavit shall
be made in writing and left with the judge of the election. The husband
may pay the poll tax of his wife and receive the receipt therefor. In like
manner, the wife may pay the poll tax of her husband and receive the
receipt therefor. The Legislature may authorize absentee voting. And
this provision of the Constitution shall be self-enacting without the
necessity of further legislation."

Sec. 2. The foregoing constitutional amendment shall be submitted
to a vote of the qualified electors of this state at an election to be held on
the first Tuesday after the first Monday in November, 1966, at which
election all ballots shall have printed on them the following:

"FOR the constitutional amendment to allow members of the armed
forces who are residents of Texas to vote."

"AGAINST the constitutional amendment to allow members of the
armed forces who are residents of Texas to vote."

Sec. 3. The Governor of the State of Texas shall issue the
necessary proclamation for the election and this amendment shall be
published in the manner and for the length of time required by the
constitution and laws of this state.

FORM C

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

COMMITTEE REPORT

Date 2-23-65

HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 38, have had the same under consideration and beg to report back with recommendation that it do pass, and be not printed. Committee Substitute was recommended and is to be printed in lieu of the original bill.


Chairman.

(A "committee substitute" in the case of a bill is in the form of two suggested amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

E. M. Smith

~~MEMORANDUM~~

COMMITTEE AMENDMENT NO. 1 TO H.J.R. NO. 38

Amend House Joint Resolution No. 38 by striking out all below the resolving clause, and by inserting in lieu thereof the following:

Section 1. That Section 2, Article VI, Constitution of the State of Texas, be amended by deleting the following language:

"Any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which he or she resided at the time of entering such service so long as he or she is a member of the Armed Forces."

The text of this section is shown below, with a broken line through the sentence which is to be deleted:

"Sec. 2. Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one (21) years and who shall be a citizen of the United States and who shall have resided in this State one (1) year next preceding an election and the last six (6) months within the district or county in which such person offers to vote, shall be deemed a qualified elector; and provided further, that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was paid before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he or she, as the case may be, shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election. The husband may pay the poll tax of his wife and receive the receipt therefor. In like man-

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Sec. 2. The only purpose of the amendment proposed in this Resolution is to make the aforesaid deletion. The adoption of this amendment shall not be deemed to have the effect of re-adopting the remainder of the section, and if any other amendment to this section, being for a different purpose, is adopted at an earlier election or at the same election, the adoption of this amendment shall not be construed as nullifying the change made by such other amendment.

Sec. 3. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed on them the following:

"FOR the constitutional amendment to allow members of the armed forces who are residents of Texas to vote."

"AGAINST the constitutional amendment to allow members of the armed forces who are residents of Texas to vote."

Sec. 4. The Governor of the State of Texas shall issue the necessary proclamation for the election and this amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state.

Sec. 5. If the foregoing amendment is adopted, the proclamation of the Governor declaring the adoption of the amendment shall set forth the full text of the amended section, as amended herein and ~~amended~~ by any other proposed amendment which is submitted by the 59th Legislature and which has been duly adopted prior to such proclamation.

DATE **MAR 2 1965**

READ AND ADOPTED

Hershey Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m. m.

do

By: Berry, et al

H. J. R. No. 38

HOUSE JOINT RESOLUTION

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H. J. R. No. 38

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Austin, Texas

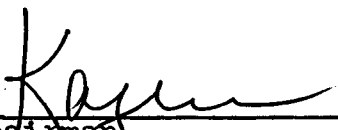
May 12 , 1965

Hon. Preston Smith

President of the Senate

Sir:

We, your Committee on Constitutional Amendments ,
to which was referred HJR B. No. 38 , have had the same under
consideration, and I am instructed to report it back to the
Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Chairman

C.A.S.

ENROLLED

HOUSE JOINT RESOLUTION

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Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H. J. R. No. 38 was adopted by the House on March 2, 1965, by the following vote: Yeas 143, Nays 2.

Chief Clerk of the House

H. J. R. No. 38

I hereby certify that H. J. R. No. 38 was passed by the
Senate on May 20, 1965, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

APPROVED:

6-2-65

Date

Governor

9:45 a.m.

George B. Martin

H. J. R. No. 38 By Barney etc

A JOINT RESOLUTION

PROPOSING an amendment to Section 2, Article VI, Constitution of the State of Texas, to omit the requirement that members of the armed services vote only in the county in which they resided at the time of entering the service.

FILED

JAN 27 1965

FEB 1 1965

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

Constitutional Amendments

MAR 2 1965

READ SECOND

TIME *Amended* AND

ORDERED _____ ENGROSSED, &

finally adopted, by vote of 143 ayes, 2 noes,

Dorothy Hallman

Chief Clerk, House of Representatives

MAR 2 1965

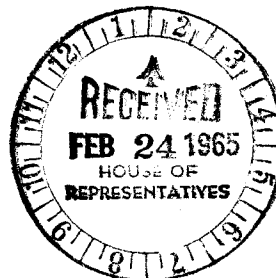
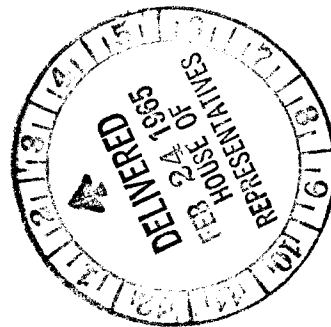
SENT TO ENGROSSING CLERK

FEB 23 1965

REPORTED FAVORABLY

AS AMENDED

SENT TO PRINTER



P.M.

FEB 24 1965

RETURNED FROM PRINTER. SENT TO SPEAKER

ENROLLED 5-21-65
3 M. Clerk

By: Berry, et al

H. J. R. No. 38

HOUSE JOINT RESOLUTION

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1-27-65 Filed.

2-1-65 Read first time and referred to Committee on Constitutional Amendments.

2-23-65 Reported favorably as amended, sent to printer.

2-24-65 Returned from printer, sent to Speaker.

3-2-65 Read second time, amended and ordered engrossed and adopted by the following vote: Yeas 143, Nays 2.

Dorothy Hallman
Chief Clerk, H. of R.

3-2-65 Sent to Engrossing Clerk.

3-2-65 Engrossed.

Arena Guggins
Engrossing Clerk, H. of R.

MAR 8 1965

IN THE SENATE

Received from
the House.

MAR 4 1965 RETURNED FROM ENGROSSING

MAR 4 1965 SENT TO THE SENATE

MAR 9 1965

Read first time
and referred to Committee
on Constitutional Amendments

MAY 20 1965

Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of 28 yeas,
0 nays, to place bill on third
reading and final passage.

MAY 12 1965

Reported Favorably.

MAY 20 1965

Regular order of business sus-
pended by unanimous consent to
permit consideration.

MAY 20 1965

READ SECOND TIME.

AND PASSED TO THIRD READING.

MAY 20 1965

READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

Yeas 29 Nays 0

Charles Schnabel

Secretary of the Senate

MAY 21 1965

SENT TO HOUSE

MAY 21 1965

SENT TO ENROLLING CLERK

RETURNED FROM SENATE MAY 21 1965

Dorothy Hallman

Chief Clerk, House of Representatives